

**Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

BILL A

LLS NO. 12-0150.03 Jery Payne x2157

HOUSE BILL

HOUSE SPONSORSHIP

Looper, Barker, Brown, Priola, Ramirez, Scott, Williams A.

SENATE SPONSORSHIP

Williams S.,

House Committees

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A MULTI-YEAR REGISTRATION FOR**
102 **CLASS A TRAILERS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Transportation Legislation Review Committee. Section 1 of the bill makes a legislative declaration. **Section 2** creates an alternate registration for interstate, commercial trailers and semitrailers if the owner is based in a jurisdiction other than Colorado or, if the owner is

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

based in Colorado, the trailer or semitrailer is at least 10 years old. The registration does not expire until the trailer is sold or transferred. The owner notifies the department when the trailer is sold or transferred. The department will issue a report in 2014, including the cost-effectiveness of this system of registration.

Section 3 sets the specific ownership tax at \$95.50. **Section 4** sets the registration fee at \$24.50. Of the fee, the department or authorized agent that registers the vehicle retains \$2.00, the county gets \$1.50 for the county road and bridge fund, the statewide bridge enterprise special revenue fund is credited with \$5.00, the Colorado state titling and registration account is credited with \$0.50, the license plate cash fund is credited with \$2.50, and the highway users tax fund is credited with \$13.00.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) (a) The general
3 assembly hereby determines that the restoration of Colorado's economy
4 is one of the most critical tasks it must consider. To that end, Colorado
5 needs to remain competitive with the western United States and the
6 nation. An emerging issue dealing with the registration of commercial
7 vehicles in Colorado threatens the state's competitiveness. Under current
8 law and regulations, interstate commercial trailers can be licensed in any
9 state regardless of whether the owner resides in that state. Twenty-six
10 states have created some version of a permanent commercial trailer plate
11 for commercial trailers.

12 (b) Permanent commercial trailer plates offer several advantages
13 to the enacting state and to trailer owners. States enjoy the reduction in
14 workload as a permanent plate does not need to be processed yearly and
15 most states collect higher revenues with the initial registration because of
16 the projected term of use. The transportation industry benefits as they do
17 not have to locate their trailers across the nation each year to replace the
18 registration on that trailer and they can shop for the best possible pricing

1 in the many states that offer these permanent plate options. In Colorado,
2 the cost of commercial trailer registration is significantly higher than
3 other states.

4 (2) The general assembly finds that there has been a decrease in
5 both interstate truck and trailer registrations in Colorado over the past five
6 years. The Colorado transportation industry reports a significant reduction
7 not only in registrations and sales of commercial vehicles and trailers but
8 the loss of thousands of jobs as well. The general assembly therefore
9 seeks to create a competitive process for the registration of interstate
10 commercial trailers in Colorado to accomplish two major goals by making
11 the state competitive with other states:

12 (a) First, to generate new revenue for Colorado by drawing, to
13 Colorado, registrations from other states with a permanent trailer
14 registration option; and

15 (b) Second, to reduce the number of currently registered interstate
16 commercial trailers that leave Colorado for another state by creating a
17 permanent registration for Colorado.

18 (3) The general assembly finds that this legislation begins to
19 address major policy issues dealing with the transportation industry in
20 Colorado and helps to take a small step towards making Colorado
21 competitive in the interstate transportation industry. This legislation
22 honors the reality of our current budget situation in Colorado while
23 moving into program options that both generate new revenue for
24 Colorado and help to retain current revenue from the trailer registrations.

25 **SECTION 2.** In Colorado Revised Statutes, 42-3-102, **add** (4) as
26 follows:

27 **42-3-102. Periodic registration.** (4) (a) (I) IN LIEU OF

1 REGISTERING UNDER SUBSECTIONS (1) TO (3) OF THIS SECTION, AN
2 APPLICANT MAY REGISTER A COMMERCIAL TRAILER OR SEMITRAILER
3 UNDER THIS PARAGRAPH (a) IF:

4 (A) THE TRAILER OR SEMITRAILER QUALIFIES AS CLASS A
5 PERSONAL PROPERTY;

6 (B) THE OWNER IS BASED OUTSIDE COLORADO IN ACCORDANCE
7 WITH THE INTERNATIONAL REGISTRATION PLAN; AND

8 (C) THE OWNER COMPLIES WITH THIS SECTION AND SECTIONS
9 42-3-107 (28) AND 42-3-313.

10 (II) A TRAILER OR SEMITRAILER REGISTRATION ISSUED UNDER THIS
11 SUBSECTION (4) DOES NOT EXPIRE EXCEPT WHEN THE VEHICLE CHANGES
12 OWNERSHIP IN ACCORDANCE WITH THIS ARTICLE. THE REGISTRATION
13 EXPIRES UPON THE SALE OR TRANSFER OF THE TRAILER OR SEMITRAILER.

14 (III) THE DEPARTMENT SHALL ISSUE A LICENSE PLATE TO A
15 TRAILER OR SEMITRAILER REGISTERED UNDER THIS PARAGRAPH (a), BUT
16 A VALIDATING STICKER OR TAB IS NOT ISSUED NOR REQUIRED FOR THE
17 LICENSE PLATE.

18 (b) (I) IN LIEU OF REGISTERING UNDER SUBSECTIONS (1) TO (3) OF
19 THIS SECTION, AN APPLICANT MAY REGISTER A COMMERCIAL TRAILER OR
20 SEMITRAILER UNDER THIS PARAGRAPH (b) IF:

21 (A) THE TRAILER OR SEMITRAILER QUALIFIES AS CLASS A
22 PERSONAL PROPERTY;

23 (B) THE OWNER IS BASED IN COLORADO IN ACCORDANCE WITH THE
24 INTERNATIONAL REGISTRATION PLAN;

25 (C) THE TRAILER OR SEMITRAILER IS IN AT LEAST ITS TENTH YEAR
26 OF SERVICE; AND

27 (D) THE OWNER COMPLIES WITH THIS SECTION AND SECTIONS

1 42-3-107 (28) AND 42-3-313.

2 (II) A TRAILER OR SEMITRAILER REGISTRATION ISSUED UNDER THIS
3 PARAGRAPH (b) DOES NOT EXPIRE EXCEPT WHEN THE VEHICLE CHANGES
4 OWNERSHIP IN ACCORDANCE WITH THIS ARTICLE. THE REGISTRATION
5 EXPIRES UPON THE SALE OR TRANSFER OF THE TRAILER OR SEMITRAILER.

6 (III) THE DEPARTMENT SHALL ISSUE A LICENSE PLATE TO A
7 TRAILER OR SEMITRAILER REGISTERED UNDER THIS PARAGRAPH (b), BUT
8 A VALIDATING STICKER OR TAB IS NOT ISSUED NOR REQUIRED FOR THE
9 LICENSE PLATE.

10 (c) UPON THE SALE OR TRANSFER OF OWNERSHIP OF A TRAILER OR
11 SEMITRAILER REGISTERED UNDER THIS SECTION, THE OWNER SHALL
12 NOTIFY THE DEPARTMENT OF THE SALE OR TRANSFER. UPON REGISTERING
13 A TRAILER OR SEMITRAILER UNDER THIS SECTION, THE DEPARTMENT SHALL
14 NOTIFY THE OWNER OF THIS PROVISION. THE DEPARTMENT SHALL ALSO
15 NOTIFY THE PUBLIC OF THE REQUIREMENTS OF THIS SECTION ON ITS WEB
16 PAGE.

17 (d) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE OR
18 ARTICLE 6 OF THIS TITLE, A PERSON MAY REGISTER A TRAILER OR
19 SEMITRAILER UNDER THIS SUBSECTION (4) WITH A VALID CERTIFICATE OF
20 TITLE FROM ANOTHER JURISDICTION OF THE UNITED STATES WITHOUT
21 FILING FOR A CERTIFICATE OF TITLE IN COLORADO.

22 (e) THE DEPARTMENT SHALL ISSUE A REPORT TO THE
23 TRANSPORTATION LEGISLATION REVIEW COMMITTEE CREATED IN SECTION
24 43-2-145, C.R.S., BY JULY 1, 2014, DETAILING THE NUMBER OF TRAILERS
25 AND SEMITRAILERS REGISTERED UNDER PARAGRAPHS (a) AND (b) OF THIS
26 SUBSECTION (4) AND MAKING RECOMMENDATIONS AS TO THE
27 COST-EFFECTIVENESS OF THE PERMANENT REGISTRATION.

1 **SECTION 3.** In Colorado Revised Statutes, 42-3-107, **add** (28)
2 as follows:

3 **42-3-107. Taxable value of classes of property - rate of tax -**
4 **when and where payable - department duties - apportionment of tax**
5 **collections - definitions.** (28) THE PREPAID ANNUAL SPECIFIC
6 OWNERSHIP TAX FOR A REGISTRATION ISSUED UNDER SECTION 42-3-102 (4)
7 IS NINETY-FIVE DOLLARS AND FIFTY CENTS.

8 **SECTION 4.** In Colorado Revised Statutes, **add** 42-3-313 as
9 follows:

10 **42-3-313. Fee for long-term or permanent registration -**
11 **trailers and semitrailers.** (1) IN LIEU OF ANY OTHER FEE IMPOSED FOR
12 REGISTRATION, THE FEE FOR REGISTRATION ISSUED UNDER SECTION
13 42-3-102 (4) IS TWENTY-FOUR DOLLARS AND FIFTY CENTS.

14 (2) (a) THE DEPARTMENT OR AUTHORIZED AGENT WHO
15 REGISTERED THE COMMERCIAL TRAILER OR SEMITRAILER MAY RETAIN TWO
16 DOLLARS OF THE REGISTRATION FEE.

17 (b) THE DEPARTMENT OR AUTHORIZED AGENT SHALL RETAIN ONE
18 DOLLAR AND FIFTY CENTS OF THE FEE, WHICH THE DEPARTMENT SHALL
19 TRANSFER TO THE COUNTY, IF APPLICABLE, AND THE COUNTY SHALL
20 ALLOCATE TO THE COUNTY ROAD AND BRIDGE FUND.

21 (c) THE DEPARTMENT SHALL TRANSFER THE REMAINDER OF THE
22 FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FOLLOWING
23 AMOUNTS TO THE FOLLOWING FUNDS:

24 (I) FIFTY CENTS TO THE COLORADO STATE TITLING AND
25 REGISTRATION ACCOUNT CREATED IN SECTION 42-1-211 (2) WITHIN THE
26 HIGHWAY USERS TAX FUND;

27 (II) TWO DOLLARS AND FIFTY CENTS TO THE LICENSE PLATE CASH

1 FUND CREATED IN SECTION 42-3-301 (1) (b);

2 (III) FIVE DOLLARS TO THE STATEWIDE BRIDGE ENTERPRISE
3 SPECIAL REVENUE FUND CREATED IN SECTION 43-4-805 (3) (a), C.R.S.;
4 AND

5 (IV) THE REMAINDER OF THE FEE TO THE HIGHWAY USERS TAX
6 FUND.

7 **SECTION 5. Applicability.** This act shall apply to registrations
8 issued, and to applications made, on or after August 1, 2012.

9 **SECTION 6. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety.